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Docket No.: 1152-0316PUS1

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nobuhiko FUNATO

Application No.: 10/522,748

Filed: January 28, 2005

For: DATA COMMUNICATION APPARATUS,

INTERMITTENT COMMUNICATION METHOD THEREFOR, PROGRAM DESCRIBING THE METHOD AND

RECORDING MEDIUM FOR RECORDING

THE PROGRAM

Confirmation No.: 9305

Art Unit: 2616

Examiner: C. Elpenord

AMENDMENT UNDER RULE 312

MS Issue Fee Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Madam:

INTRODUCTORY COMMENTS

In response to the Examiner's Amendment dated September 23, 2009, please amend the above-identified U.S. patent application as follows:

Amendments to the Specification are reflected on page 2 of this paper;

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper; and

Remarks/Arguments begin on page 15 of this paper.

Birch, Stewart, Kolasch & Birch, LLP

CG/RWD/